

Introduced by Senator Johnson

February 20, 2003

An act to amend Section 85316 of the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

SB 467, as introduced, Johnson. Political Reform Act of 1974.

Existing law, the Political Reform Act of 1974, authorizes a candidate for elective state office to accept a contribution for an election after the date of the election only to the extent that the contribution does not exceed net debts outstanding from the election.

This bill would authorize a candidate serving his or her last permitted term of office to accept a contribution for an election after the date of the election provided that the contribution is used for the purpose of paying expenses associated with holding office, and other specified uses.

Existing law makes a violation of the act subject to administrative, civil, and criminal penalties.

This bill would impose a state-mandated local program by imposing these penalties on persons who violate the provisions of this bill.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes with

a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirements.

This bill, which would declare that it furthers the purposes of the act, would therefore require a $\frac{2}{3}$ vote.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 85316 of the Government Code, as
2 added by Chapter 102 of the Statutes of 2000, is amended to read:

3 85316. (a) A contribution for an election may be accepted by
4 a candidate for elective state office after the date of the election
5 only to the extent that the contribution does not exceed net debts
6 outstanding from the election, and the contribution does not
7 otherwise exceed the applicable contribution limit for that
8 election.

9 (b) *Notwithstanding subdivision (a), an elected state officer*
10 *who is serving his or her last permitted term of office may accept*
11 *contributions after the date of the election to the office presently*
12 *held for the purpose of paying expenses associated with holding*
13 *office, or for any purpose authorized pursuant to Article 4*
14 *(commencing with Section 89510) of Chapter 9.5. A contribution*
15 *made pursuant to this subdivision may not otherwise exceed the*
16 *applicable contribution limits for that election. For an election*
17 *held prior to January 1, 2001, a contribution made pursuant to this*
18 *subdivision is subject to Sections 85301 and 85302.*

19 SEC. 2. No reimbursement is required by this act pursuant to
20 Section 6 of Article XIII B of the California Constitution because
21 the only costs that may be incurred by a local agency or school
22 district will be incurred because this act creates a new crime or
23 infraction, eliminates a crime or infraction, or changes the penalty
24 for a crime or infraction, within the meaning of Section 17556 of
25 the Government Code, or changes the definition of a crime within
26 the meaning of Section 6 of Article XIII B of the California
27 Constitution.

28 SEC. 3. The Legislature finds and declares that this bill
29 furthers the purposes of the Political Reform Act of 1974 within



1 the meaning of subdivision (a) of Section 81012 of the
2 Government Code.

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